Sinclair Community College

Dayton, Ohio 45402-1454



NAME: Michael R. Miller

STUDENT SSN:

MAJOR: Electro-Mech Egr/Rob

DATE PRINTED: OCT 22, 2001

PAGE: 1

FALL, 1994		SPRING, 1996	
EGR 128 ROBOTICS IN CIM SYSTEMS 3.00 B	9.00	EBR 139 ELECTRICAL MACHINERY	4.00 W 0.00
SER 123 HI RELIABLTY SOLDERING 3.00 A	12.00	PED 106 WEIGHT TRAINING	1.00 W 0.00
MAT 111 TECHNICAL MATH I 5.00 B	15.00	ENG 121 TECHNICAL COMMUNICATN I	3.00 W 0.00
EGR 201 FUND OF COMPUTER GRAPHICS 3.00 A	12.00	PED 106 WEIGHT TRAINING	1.00 W 0.00
HR CPT HR CALC POINTS G P A		MUS 115 MUSIC APPRECIATION	3.00 M 0.00
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MAT 112 TECHNICAL MATH II 5.00 B	15.00	EGR 261 ENGR PBLM SOLVING *C*	4.00 B 12.00
SEGR 248 R+C CONTROLLER PRORMG 3.00 W	0.00	PSY/141/LOVE+PERSONAL/GROWTH/////	/3.00/1//0.00
EGR 161 INDUSTRE CMPTR CONTROL 3.00 A	12.00	HR CPT HR CALC POINTS	G P X
HUM 131 SEARCH FOR UTOPIA 3.00 W	0.00	TERM 4.00 7.00 12.00	
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TERM 8.00 8.00 27.00 3.375			
CUM 22.00 22.00 75.00 3.409		FALL, 1996	* :
[일: 100 - 100]		PED 125 BOWLING	1.00 A 4.00
SPRING, 1995		PSY 121 GENERAL PSYCHOLOGY I	3.00 B 9.00
EBE 170 CO-OP/CARBER PLANNING 3.00 B	9.00	HUM 132 CONNECT TECH & OUR LIVES	3.00 C 6.00
BER 166 INDUSTRIAL MACHINE WIRING 3.00 C	6.00	IET 198 COMP PRGM APP IN ENG TECH	2.00 F 0.00
BER 138 MICROPRESES FOMG/APPL 3.00 A	12.00	HR CPT HR CALC POINTS	GPA
RET 281 PROGRAMBLE LOGIC CONTRL 3.00 A	12.00	TERM 7.00 9.00 19.00	2.111
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CUM 34.00 34.00 114.00 3.353		WINTER, 1997	
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EGR 252 KAREL CONTRLER PRORMS 3.00 A	.12:00	HR CPT HR CALC POINTS	G P A
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PROVIDED SOLELY FOR:

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Miller, Michael E 2313 Germantown St Dayton, OH 45408

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Director, Registration & Student Records



Dayton, Ohio 45402-1454

NAME: Michael E. Miller

STUDENT SSN:

MAJOR: Electro-Mech Egr/Rob

DATE PRINTED: OCT 22, 2001

PAGE: 2

SPRING, 1997 BNG 121 TECHNICAL COMMUNICATN I 3.00 C 6.00 EGR 251 ROBOT CONTRL DIAGNOSTIC 3.00 C 6.00 PHY 131 TECHNICAL PHYSICS I 4.00 B 12.00 HR CPT HR CALC POINTS G P A TERM 10.00 10.00 24.00 2.400 CUM 73.00 75.00 241.00 3.213 FALL, 1997 EET 114 BASIC ELECTRIC MEMTS 3.00 B 9:00 BER 137 LINEAR INTERTO CIRCUITS 3.00 C 6.00 BNG 122 TECHNICAL COMMUNICATN II 3.00 A 12.00 TERM 9.00 9.00 27.00 3.000 CUM 82.00 84.00 268.00

98/WI Associate of Applied Science
MAJORI Electro-Mech Egr/Rob

---- THANSPER CREDITS ---1995 United States Army 55.0

PROVIDED SOLELY FOR:

Miller, Michael E 2313 Germantown St Dayton, OH 45408



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Director, Registration & Student Records

Judication FOR EMPLOYMENTOS

AK Steel Corporation



AK Steel Corporation is an Equal Employment Opportunity Employer and as such meets all government regulations pertaining to Equal Employment Opportunity.

Name_MILHAE(E. MILLER Date 8-10-01
7212 Commenter That of All Ikila
Phone Number — or number where you can be reached: (937) AREA CODE NUMBER
Permanent Address: SAME AS ABOUE
Permanent Phone: (
Are you 18 years of age or older? 🗵 Yes 🖸 No
Are you lawfully entitled to work within the U.S.? (PROOF OF CITIZENSHIP OR IMMIGRATION STATUS IS REQUIRED UPON EMPLOYMENT)
Have you been convicted of a crime other than a minor traffic violation?
If yes, explain.
Date available for employment: $8-/3-0/$
If the job requires, are you willing to travel?
If the job requires, are you able to work all shifts?
Have you previously applied at Armco or AK Steel? If yes, when/where?
Have you previously worked for Armco or AK Steel? If yes, when/where?



EDUCATIONA PRACKCHOUNDS 181 DOCUMENT 149-4 Filed 01/14/2008 Page 4 of 32 Circle last grade completed 1 2 3 4 5 6 7 8 9 10 11 12 College hours completed GRADUATED FIELD OF TYPE OF SCHOOL NAME AND LOCATION GRADE POINT/SCALE DEGREE STUDY TOP MID BOT 1/3 HIGH -BUSINESS OR TRADE ELECTROMECH. COMMUNITY CALER AAS **COLLEGE OR** UNIVERSITY **POST** GRADUATE List other formal educational experience; e.g., night school, home study courses, GED, etc. SCHOOL. CERTIFICATE 1958 HOURS (CLASS) ECTRONIC TROUBLESHORER If presently enrolled, indicate where and field of study: Describe any definite plans for further study: _ List significant activities, honors, awards or elective offices which have contributed to your career goals and interests: MILITARY SERVICE: Are you a Veteran of the U.S. Military Service? 🔀 Yes ☐ No BRANCH OF SERVICE HIGHEST RANK OR RATE Please, indicate any military experience or training you feel might be of interest and value to AK Steel: DETAILED & MISSION ORIENTED.

AND ELECTRICALLY INCLINED,

PRESENT OR MOST RECENT POSITION
Name of employer HEIDEC BERG WEB Your title ELECTRICAL ASSAMBLER
Address 4900 WEBSTER DAYON, OHIO 45414 Kind of business PRINTING PROSS
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NEXT PREVIOUS POSITION
Name of employer P.C. U. Your title SERVICE TECH
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Period of employment from 12-00 to 1-01 Name of person for Kim WEAVER Rate of earnings 15-00
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Period of employment from to Name of person for BRAD BRADFIED Rate of earnings Whom you worked earnings
Give exact reason for leaving UNION RAISED EXPLIFIED LESVITING IN FORCED LAYOFFS
How much time have you lost from work in the past two years? 3 DAYS

Case 1:02-cv-00467-SSB-TSH Document 149 APPLICANT SURVEYED 01/14/2008 Page 7 of 32

Applicant Name: MICHAELE.MILLEIR Date: 8-10-01

[tem	Response	
Other than exiting the military, how many times have you been without employment for more than six weeks?	Ø	
2. In the left column, list your full-time employers (company names) for the past 10 years and in the	HADELBERG WE	13 6MTHS
right column write the number of years in each job listed.	P.C.U	1 YEAR
	MOTOMAN	2 YEAR2S
EXHIBIT	OET	7 miles
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	U.S. IHEATY	1/6/425
3. Have you ever been terminated from any employer?	YES	NO
4. Do you have a high school diploma or GED?	YES	NO
5. Do you have a valid driver's license?	YES	NO
6. Do you have reliable transportation?	YES	NO
7. Have you ever been convicted of a crime other than a minor traffic violation?	YES	(NO)
8. Some positions are on weekly rotating shifts. Is this: (A) Preferred (B) Tolerable, or (C) Unacceptable	A	ВС
9. Have you ever worked for AK Steel/Armco before	YES	NO
10. How many years of assembly, heavy machinery and/or manufacturing experience do you have?	6 YEAR	:5
11. Do you have experience in welding, electrical, maintenance or plumbing?	SUCCALL COL	NO LEGE AAS IN
12. List any education beyond high school.	FISTER MECH	ENG.
13. Have you served in the military? (Upon job offer, copy of your DD-214 will be required.)	(110)	NO
14. Have you ever worked rotating shifts for a previous employer?	YES	NO

Case 1:02-cv-0 APPSSB-TSH _ Document 149-4 _ Eiled 01/14/2008

AK Steel Corporation

AK Steel Corporation is an Equal Employment Opportunity Employer and as such meets all government regulations pertaining to Equal Employment Opportunity.

AK Steel

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MILLER ON Junt

LDOCATIONA	L BACKGROUND:					
Circle laste 14de	a2-cm/si00467-SSB-ISH 6 Document	49-4 Filed	01/1	4/20	08 Page 9 o	f 32
YPE OF SCHOOL			llege	hours	completed	
	NAME AND LOCATION	GRAD!	UATED LNO	DEGREE	FIELD OF	GRADE POINT/SCALE
HIGH	DUNBAR (DAYTON OH)	/ 1 /	-NU		STUDY	TOP MID BOT 1/3
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ist significant act	tivities, honors, awards or elective offices which ha	Ve contributed to			_	
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	BRANCH OF SERVICE					
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ease, indicate a	ny militany experience or training					
115	ny military experience or training you feel might be	of interest and va	lue to	AK St	eel:	
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PRESENT OR MOST RECENT POSITION (937) 210. 2451
Name of employer HEIDELBERG WESSIAM Your title ELECTRONIC ASSONBLOW
Address 4900 WEBSTER ST Dayton, OH 45414 BUILT SUBASSEMBLIED, TROUBLESHOOT AND WORKED AS A Describe your position TEAM MEMBER TO HELP BUILD BINDERS & OTHERS PRETS EQUIP
Describe your position TEAM MEMBER TO HELP BUILD BINDERS & OTHERS PRESS EQUIP
Period of employment from 1-01 to 6-01 Name of person for MIKE HUFF Rate of earnings 17.16/hz
Give exact reason for leaving LAY OFC
NEXT PREVIOUS POSITION
Name of employer PCV TECHNICAL SERVICE Your title HELD SERVICE TECH
Address 2280 W. DOROTHY LANE DOUGONIOH KIND OF BUSINESS AUTOMOTIVE FUNDFILL TRAVEL TO CUSTOMER SITES TO REPAIR AND INSTACE
Describe your position <u>EQUIDMENT BOUGHT From PCU</u>
Period of employment from 1-00 to 1-01 Name of person for Alan Walker Rate of earnings 15.00
Give exact reason for leaving LEFT FOR BETTER JOB OFFER PCU DOWNSIZED
NEXT PREVIOUS POSITION CBS Daufton JOH (937) 222.2525
Name of employer SERVICE TECHNICIAN (BS) Your title SERVICE TECH
Address 130 W. SECOND ST SUITE 1910 Kind of business JOB MACEMENT
MACHINE BUILDER AND TRUUBLESHOOTER FOR Describe your position MOTO MAN ROBITICS & CHIO ELECTRONICS ENGRAVERS
Period of employment from $\frac{5-99}{\text{(MOYR)}}$ to $\frac{1-00}{\text{(MOYR)}}$ Name of person for $BOI3$ $BICKEL$ Rate of earnings $12,50$
Give exact reason for leaving OFE WENTOUT OF BUSINESS & MOTOMAN LET ALL TEMPS GO.
NEXT PREVIOUS POSITION (937) 244. 4117
Name of employer FISHER PRODUCTS Your title FLETEONIC ASSEMBLER
Name of employer FISHER PRODUCTS 3100 Valleywood Drive Dayton 45429 Address N/A Kind of business TEST CONSILES TEST CONSILE BUILDER TO DO HIPOT TESTING
Describe your position De ARMATURES & STATORS FOR VARIOUS PUR TOOK COM DANCE;
Period of employment from 1-99 to 5-99 Name of person for what whom you worked earnings 11.00
Give exact reason for leaving LAID OFF
How much time have you lost from work in the past two years?

Case 1:02-cv-00467-SSB	-TSH D	ocument 149-4	Filed 01/14/2008	Page 11 of 32
For what particular type of work are you	u making appli	cation; e.g., clerical, t	echnical, engineering, profe	ssional salos labor et
ELECTRONIC S	SERVI	1065		ssional, sales, labor, etc.
Expected wage or salary \$ OPE.				
If applying for clerical work, list special	skills. Include	typing (wpm), word nr	Ocessing computer actions	
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If applying for sales, technical, profession	onal, or admini	strative work give hig	phlights of any an additional	
helpful: HAUE EXP	ERIENC	i IN Pl	C'S HY	g or experience which may be
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PNEUMATICS FORK (IFTS RO	BUTS	7.		- CONOCTOR
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If applying for labor or craft work, indicat	te any training	or experience which	might be upoful tool to	
can operate:		The state of the s	ringitt be useful. Include any	equipment or machinery you
Describe any additional qualifications, at	pilities, or stror	or noints which will be	January by	
	,	es bound which will life	op you be successful in the j	ob for which you are applying.
PERSONAL REFERENCES:				
Please provide the following information	on three indivi	duals whom we may	Contact on order	
NAME	ACORESS	- and monitive may	contact as references:	
SAMUEL R. JoHNSON SR		WICKOW DZ	TELEPHONE NO.	AELATIONSHIP
MIKE HUFF 49	OI) (VERS	TER ST	(27) 70 21	5183 DISTOR
ANDRE WALKER	0 000	(S1271122 GILL	DI SUPERUISOR
			315) 923-916 (FRIEN D
I hereby certify that the foregoing information obtain information from my former employerelease information to AK Steel Corporation	n.		inchize my lomer employers	and other references to
I agree that any false or misleading stater with my employment shall be sufficient ca	ment in this ap use for refusa	plication for employm	ent or any additional forms :	signed by me in connection
I understand that this application is not an applicable to the requirements of the type	d io not into-	1-11-1		omit to a physical examination use screening.
Signature of Applicant	all!	Milla	- Inca	dus alala
			Application received by/Dat	e received

中國各種的學術學 獨立日本

Case 1:02-cv-00467-SSB-TSH APPLIFOXNT-SURFIEQV01/14/2008 Page 12 of 32

Applicant Name: MICHAEL E. MILLER Date: 4-7-0/

Item	Response	
1. Other than exiting the military, how many times	response	
have you been without employment for more than		
six weeks?	NONE	
2. In the left column, list your full-time employers	,	
(company names) for the past 10 years and in the	MEDICRERC	6mTHS
right column write the number of years in each job	n.	/ 71
listed.	PCU	/ //2
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	U.S. ARMY	
3. Have you ever been terminated from any employer?	10.5.112119	
	YES	(NO)
4. Do you have a high school diploma or GED?		
,	YES /	NO
5. Do you have a valid driver's license?		
6 D. 1 ""	YES	NO
6. Do you have reliable transportation?	()	
7. Have you ever been convicted of a crime other than	YES	NO
a minor traffic violation?	VEG	()10
8. Some positions are on weekly rotating shifts. Is	YES	NO
this: (A) Preferred (B) Tolerable, or	A (\hat{B} c
(C) Unacceptable	A 7	
9. Have you ever worked for AK Steel/Armco before?		
	YES	(NO/
10. How many years of assembly, heavy machinery		
and/or manufacturing experience do you have?		,
11. Do you have experience in welding, electrical, maintenance or plumbing?		
12. List any education beyond high school.	(YES	NO
22 my caucation beyond high school.	SINCLAIR C	OMMUNITY
		ECTROMECHARICAL
	January Com 16	TECHNULUGY
13. Have you served in the military? (Upon job offer, a		
copy of your DD-214 will be required.)	YES	NO
14. Have you ever worked rotating shifts for a previous	1	110
employer?	YES	NO

Case 1:02-cv-00467- CHARGE OF DIS	-SSB-TSH Document Ck.MINATION	149-4 Filed	† 01 /14// ic	2008 Page CHAR	13 of 32 GE NUMBER
This form is affected by the Privacy Act of 1974; See P	form.	FEPA EEOC			
	Cincinnati Area	Office	EEOC		and EEOC
	State or local Agency	· · · · · · · · · · · · · · · · · · ·			and EEOC
NAME(Indicate Mr., Ms., Mrs.)			PHONE (Inc	lude Area Code)	
Mr. Michae	el Miller			(937) 263-9695	
	Y, STATE AND ZIP CODE				DATE OF BIRTH
2213 Germantown St.	Dayton, OH 45408				69
NAMED IS THE EMPLOYER, LABOR ORGA AGENCY WHO DISCRIMINATED AGAINST	NIZATION, EMPLOYMENT AGENC ME (If more than one list below.)	Y, APPRENTICESHIP	COMMITT	EE, STATE OR LOC	AL GOVERNMENT
NAME	NUMBER OF EMPLOYEES, MEME	BERS		TELEPHONE (Incl	ude Area Code)
AK Steel	>20	· · · · · · · · · · · · · · · · · · ·		1-800	-331-5050
	Y, STATE AND ZIP CODE				COUNTY
703 Curtis Street Middleto NAME	own, Ohio 45043				
NAME		TELEPHONE	NUMBER (Include Area Code)	
STREET ADDRESS CIT	Y, STATE AND ZIP CODE				COUNTY
CAUSE OF DISCRIMINATION BASED ON (C	Theck appropriate box(es))	**************************************	DAT	E DISCRIMINATION	N TOOK PLACE
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THE PARTICULARS ARE (If additional paper	is needed, attach extra sheet(s)):				
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I want this charge filed with both the EEOC and will advise the agencies if I change my address of	r telephone number and I will	NOTARY - (When no	ecessary for S	State and Local Requi	rements)
cooperate fully with them in the processing of my procedures.	y charge in accordance with their	I swear or affirm that of my knowledge, inf			that it is true to the best
I declare under penalty of perjury that the foregoing	ing is true and correct.	SIGNATURE OF CO			
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE			DATE		
Date * July 18, 2002 Charging Part	y (Signature) * Michael Mille	(Day, month, and year)			

CHARGE OF DISCRIMINATION MICHAEL MILLER PAGE 1

Page 14 of 32

I. Overview of Individual and Class Allegations

AK Steel Corporation has discriminated and continues to discriminate against me in the terms and conditions of my application for employment with them on the basis of my race, African-American, by denying me the opportunity to be hired while hiring equally or less qualified white employees and subjecting me to a racially hostile application process and other forms of discrimination. I believe that AK Steel Corporation's actions are part of a continuing pattern and practice of discrimination against African-American applicants for employment and employees, including but not limited to, denying applicants hiring opportunities while providing such opportunities to equally or less qualified white applicants and subjecting them to a racially hostile application process.

II. Statement of Personal Harm

I applied to the AK Steel plant in Middletown, Ohio two times: in approximately late June 2001, and again in January 2002. Looking through the help wanted section of a local newspaper in the summer of 2001, I came across AK Steel's advertizement. Because of my background of 4 years in the U.S. Army working as an electronics mechanic, one year of itinerant work repairing electromechanical equipment for car factories such as Ford and General Motors in various locations throughout the country, and three years as a Master Mechanical Technician for Motoman Robotics, I put in an application for a skilled position in technical repair. In addition, I have an associates' degree in robotics.

I filled out an application at the Hamilton Bureau of Employment and took AK Steel's qualifying exam in July 2001. The first part consisted of a general aptitude test: logic and common sense questions, reading comprehension, basic math and science (such as measurement and buoyancy), and things like that. It was easy. About three weeks later, I was called in to take the skilled test for technical repair. This test seemed directed more to an electrician than a technical person, asking questions about figuring out KVAs on a transformer (a specific issue which only an electrician would have to deal with) and the like, but I still understood the gist of it. The test consisted of approximately sixty questions, of which about ten related directly to technical matters such as relay logic, logic controls, PLC, and computer networking. The rest were more relevant to an electrician than a technical repairperson.

After the test, I had an interview with Jessica Hicks, a white HR representative, and a technical repair department supervisor, a white man, which went really well. Both of them seemed impressed with my background. They told me about AK Steel's safety policies, the benefits associated with the technical repairperson position, and asked me if I would mind rotating shifts. At the end of the interview, Ms. Hicks informed me that they would contact me in the coming weeks.

CHARGE OF DISCRIMINATION MICHAEL MILLER PAGE 2

When five weeks had passed without word from AK Steel, I telephoned Ms. Hicks. She informed me that I hadn't done so well on the second exam and asked me if I would be interested in a production job, an unskilled position. Although I was displeased to be informed that I would not be considered for the position in technical repair for which was qualified, I indicated that I was interested in the production job. Because I was obviously over-qualified for this position, I thought that I should have no problem being hired.

Ms. Hicks told me that Advantage Hire would be contacting me regarding the production position, and about three weeks later, in October 2001, they telephoned me to double check my employment background. I heard nothing from AK Steel subsequently. Around the end of November 2001, I contacted Ms. Hicks. She told me that she was waiting to hear from an HR manager regarding the position in production that I was being considered for and that she herself knew nothing. I called back at the end of December 2001 and received the same message. In January 2002 I found out that a white woman had been hired into production at AK Steel. I believe that she applied after me because it is somewhat unusual for women to work in production (there were no women in the group with which I took my qualifying exam, for example) but I heard about a group consisting almost exclusively of women that was tested after me. Also in January 2002 I contacted Ms. Hicks again. This time, she informed me that she didn't know what had happened to my application, what was going on with it, or why it was taking so long. She suggested that I reapply, which I did. On my second application, I indicated that I wished to be considered only for a production position so as to facilitate the process of getting hired into that position. But since having submitted this second application, I have heard nothing back from AK Steel.

III. Statement of Discrimination

I believe that AK Steel Corporation has discriminated against me and continues to discriminate against me in the terms and conditions of my applications for employment with them on the basis of my race, African-American, in violation of the Civil Rights Act of 1964, as amended, because white applicants with fewer qualifications than me have been hired and I have not, and because I have been subjected to a racially hostile application process and other forms of discrimination and denied the right to apply for work in an environment free of racial discrimination.

I have been adversely affected by these discriminatory practices by being deprived of the equal opportunity to be hired. Such discrimination denies me and other African-Americans the right to be hired for positions for which we are qualified.

This systemic discrimination also adversely affects the status of African-Americans as employees by promoting and reinforcing racial stereotypes and bias in hiring.

CHARGE OF DISCRIMINATION MICHAEL MILLER PAGE 3

Statement of Classwide Discrimination on the Basis of Race IV.

Based on my experiences, I believe that AK Steel Corporation has engaged and continues to engage in a pattern and practice of discrimination against its African-American applicants for employment and employees that denies them equal employment opportunities in ways including but not limited to the following: denying them hiring opportunities while providing such opportunities to equally or less qualified white employees and subjecting them to a racially hostile application process and work environment in which few other African-Americans are employed. This policy violates Title VII of the 1964 Civil Rights Act, 42 U.S.C. Section 2000(e), et seq.

I believe this policy has effected a class of black persons comprised of all past, present and future black applicants for employment with AK Steel. I believe that these discriminatory practices occur throughout AK Steel Corporation. I make this charge on behalf of myself and all similarly situated African-American applicants for employment and employees.

I declare under penalty of perjury that the foregoing is true and correct.

Date: * JUNE 18, 200C

Charging Party (signature)

Filed 01/14/2008 -EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Michael Miller 2213 GERMANTOWN STREET DAYTON, OH 45408

From: E.E.O.C

Cincinnati Area Office 550 Main Street, Suite 10-019

Cincinnati, Ohio 45202-5202

On behalf of a person aggrieved whose identity is CONFIDENTIAL (29 C.F.R. 1601.7(a))

Charge Number

EEOC Representative

Telephone Number

221A200670

Legal Unit Duty Officer

(216) 522-7445

Of January SVV3

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

 The facts alleged in th	e charge fail to state a	claim under an	y of the	statutes enfe	orced by the	EEOC
Your ollowetteen did no					-	•

- Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- We cannot investigate your charge because it was not filed within the time limit required by law.
- Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- While reasonable efforts were made to locate you, we were not able to do so.
- You had 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that invostigated this charge.
- X Other (briefly state) CHARGING PARTY FILED SUIT IN U.S. DISTRICT COURT

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit based on this charge, please send a copy of your court complaint to this office.

On Behalf of the Commission

Wilma L. Javer

Enclosure(s)

ec: A K STEEL 703 CURTIS STREET MIDDLETOWN, OH 45043

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

VIVIAN BERT, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. C-1-02-467
)	Judge Beckwith
AK STEEL CORPORATION,)	Magistrate Judge Hogan
)	· · · · · · · · · · · · · · · · · · ·
Defendant.)	

PLAINTIFF MICHAEL MILLER'S ANSWERS TO THE **DEFENDANT'S FIRST SET OF INTERROGATORIES**

Comes now the Plaintiff, Michael Miller, by and through his undersigned counsel of record and responds to the Defendant's First Set of Interrogatories as follows:

GENERAL OBJECTIONS

- 1. The Plaintiff objects to the definitions and instructions accompanying these interrogatories to the extent that they seek to impose burdens, duties and obligations upon the Plaintiff in excess of or different from those imposed by applicable law and the Federal Rules of Civil Procedure; Plaintiff will respond in accordance with said law and rules.
- 2. The Plaintiff objects to these requests to the extent they seek information and/or documentation regarding matters about which the Defendant has knowledge but has failed to disclose, or so limited their responses to previous discovery of the Plaintiff, so as to in effect deny the Plaintiff the information requested and needed by them to answer these requests.
- 3. The Plaintiff objects to these requests to the extent they seek to discover "core" work product, including the disclosure of the mental impressions, conclusions, opinions, and/or legal theories of



attorneys or other representatives of the Plaintiff, rather than seeking this information from the Plaintiff.

- 4. The Plaintiff objects to these requests to the extent they seek information and/or documentation protected by the attorney-client privilege or any other applicable privilege.
- 5. The Plaintiff objects to these requests to the extent that the Defendant is seeking to make them into a bill of particulars.
- 6. The Plaintiff objects to these requests to the extent they seek to require Plaintiff's counsel to present a "dress rehearsal" of the evidence to be submitted in the course of the proceedings. The mental impressions, legal theories, legal conclusions, and legal opinions of Plaintiff's counsel, as well as any communications between Plaintiff and her counsel, are clearly protected from discovery by the attorneyclient privilege and the work product doctrine.
- 7. The Plaintiff objects to these requests to the extent that the information and/or documentation sought, if any, was obtained and prepared in anticipation of litigation and the Defendants have not made the required showing of substantial need for the information and/or documentation or that the substantial equivalent of such information and/or documentation is unobtainable by other means. The Plaintiff further objects to these requests to the extent that the information and/or documentation called for, if any, is protected and is not discoverable under Rule 26(b)(3) of the Fed. R. Civ. P. and Hickman v. Taylor, 329 U.S. 495 (1947).
- The Plaintiff objects to these requests to the extent that they seek information and/or 8. documentation that is equally available to the Defendant and the burden on the Defendant to obtain the requested information and/or documentation is no greater than the burden on the Plaintiff.
 - 9. The Plaintiff objects to these requests to the extent they exceed the requirements of Rules

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26, 30, 34 or 45 of the Fed. R. Civ. P.

- 10. The Plaintiff objects to these requests to the extent they seek information and/or documentation relating to expert witnesses, witnesses, and trial exhibits in excess of the disclosure duties imposed by the Fed. R. Civ. P. and the Court's Scheduling and Pretrial Orders relating to such matters.
- 11. The Plaintiff objects to these requests to the extent they require the Plaintiff to disclose "each and every" fact or piece of knowledge possessed by them as such a requirement is impossible to fulfill and is objectionably broad for failure to be "reasonably particularized".
- 12. The Plaintiff objects to these requests to the extent they request duplicative and cumulative information and/or documentation heretofore disclosed in conjunction with discovery already undertaken by the Defendant in this action.
- 13. The Plaintiff objects to these requests to the extent that they seek to require the Plaintiff's attorneys to divulge the substance of information and/or documentation developed by them (i.e., interpretive, not investigatory) in preparation for any hearing or trial in this action.
- 14. The Plaintiff objects to these requests to the extent that they do not, on their face, restrict themselves either to an identifiable time or a reasonable, rationally-based time frame.
- 15. The Plaintiff objects to these requests to the extent that they seek information and/or documentation from the Plaintiff regarding matters about which the Defendant has refused or objected to providing in their interrogatory or request for production responses.
- 16. The Plaintiff objects to these requests to the extent that they are oppressive, i.e., they were designed to create an unreasonable burden on the Plaintiff which burden is not commensurate with the professed result sought.

17. The Plaintiff objects to these interrogatories to the extent they seek answers to multiple

interrogatories within a single interrogatory.

18. These requests are addressed to the Plaintiff and the responses herein are based on

information and/or documentation presently available to the Plaintiff. Investigation is presently continuing,

however, and additional information and/or documentation pertinent to these requests may well be

disclosed as a result of such ongoing and continuing investigation.

Except as otherwise indicated, the Plaintiff incorporates the General Objections into each and every

answer set forth below. Without waiving the foregoing objections, the Plaintiff answers as follows:

INTERROGATORY NO. 1: Identify all litigation or legal proceedings in which you have been

a witness or party, including the name and number of the case, the court or administrative agency for which

the case was pending, and a brief description of the nature of the case, and the year in which the matter was

pending.

SPECIFIC OBJECTION TO REQUEST: Plaintiff objects because this request does not seek

relevant information or that information subject to production under Fed. R. Civ. P. 26, and thus, this

request is unduly harassing, burdensome, and oppressive. Subject to and without waiving the foregoing

general and specific objections, Plaintiff responds as follows:

ANSWER:

State of Ohio v. Eugenia Reed

Case No.: CR03860

Dayton Municipal Court - Montgomery County - 41 North Perry Street

Dayton, Ohio (937) 512-1400

Nature of Case: Criminal - In 1998 Eugenia Reed was convicted of manslaughter

in the death of her husband, Winston Reed and sentenced to 10 years

I was a witness

Bert, et al. v. A. K. Steel

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INTERROGATORY NO. 2: Identify all employers for whom you have worked since January 1,2001, including the dates of employment, the positions held, amounts paid per week, and reason for leaving, if applicable.

SPECIFIC OBJECTION TO REQUEST: Plaintiff objects because this request does not seek relevant information or that information subject to production under Fed. R. Civ. P. 26, and thus, this request is unduly harassing, burdensome, and oppressive. Subject to and without waiving the foregoing general and specific objections, Plaintiff responds as follows:

ANSWER: Please see the attached Answer to Question #2

INTERROGATORY NO. 3: Identify all employers to whom you applied for employment since

January 1, 2001, including the date you submitted written applications, the job to which you applied, the

dates you were interviewed, the employers who tendered you job offers, and a description of the offer.

SPECIFIC OBJECTION TO REQUEST: Plaintiff objects because this request does not seek relevant information or that information subject to production under Fed. R. Civ. P. 26, and thus, this request is unduly harassing, burdensome, and oppressive. Subject to and without waiving the foregoing general and specific objections, Plaintiff responds as follows:

ANSWER: Please see the attached: Answer to Question #3

INTERROGATORY NO. 4: Identify all income received from whatever source, by amount each week after January 1, 2001.

ANSWER: Please see the attached: Answer to Question #4

INTERROGATORY NO. 5: Identify by name, address and telephone number all individuals who have knowledge about or information about the allegations in the Complaint, and state a summary of

what you believe their knowledge to be.

ANSWER: Gail Miller - 1916 Alamo Avenue, Springfield, Ohio 45503 - (937) 367-2544

<u>INTERROGATORY NO. 6:</u> Identify all individuals who you intend to call as witnesses in the litigation of this matter.

SPECIFIC OBJECTION TO REQUEST: Plaintiffs objects because this Interrogatory violates the Court's Order establishing a deadline for Plaintiff to disclose witnesses and testimony. Plaintiff further objects to the extent this interrogatory seeks information protected by the attorney-client privilege or other privilege and/or the work product doctrine. Subject to and without waiving the foregoing general and specific objections, Plaintiff responds as follows:

ANSWER: Plaintiff will abide by the deadlines established by the Court and the disclosure requirements set by the Federal Rules of Civil Procedure to disclose the witnesses they will use at trial in this case.

Respectfully Submitted,

Robert F. Childs, Jr.

Herman N. Johnson, Jr.

WIGGINS, CHILDS, QUINN & PANTAZIS

The Kress Building

301 19th Street North

Birmingham, Alabama 35203

(205) 328-0640

(205) 254-1500 (facsimile)

Tobias, Kraus & Torchia, LLP 414 Walnut Street Suite 911 Cincinnati, Ohio 45202 (513) 241-8137 (513) 241-7863 (facsimile)

ATTORNEYS FOR THE PLAINTIFFS

CERTIFICATE OF SERVICE

I do hereby certify that on May 25, 2007, I served the foregoing via U.S. Mail and electronic mail upon the following:

Gregory Parker Rogers Lawrence James Barty Patricia Anderson Pryor Taft, Stettinius & Hollister, LLP 1800 First Star Tower 425 Walnut Street Cincinnati, OH 45202 Fax: (513) 381-0205

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ANSWER TO **QUESTION #2**

1. PCU 2280 W. Dorothy lane Dayton, oh 45439 937-299-5594

Dates of employment- 6/4/2000-1/9/2001 Position held- Field Service Technician Pay per week- \$800.00 base pay Reason for leaving: Better monetary and benefits offer from Heidelberg.

2. Heidelberg Web Systems Inc. 121 Broadway Dover, NH 03820 (No number available)

Dates of employment- 1/15/2001-4/26/2002 Position held- Machine Builder Pay per week- \$1000.00 base pay Reason for leaving: Heidelberg Dayton closed.

3. Dole Fresh Vegetables 600 Benjamin Dr. Springfield, oh 45502 937-525-4300

Dates of employment-5/7/2002-1/3/2003 Position held- Maintenance Technician Pay per week-\$700.00 base pay Reason for leaving: Return to school

4. OTC Daihen 1400 Blouser Dr. Tipp City, Oh 45437 937-667-0800

Dates of employment-9/8/2003-3/8/2004 Position held- Manufacturing Technician Pay per week- \$600.00 base pay Reason for leaving: Temporary while in school

5. JBM Envelope 2850 Henkle Dr. Lebanon, Oh 45036 513-933-8333

Dates of employment- 4/27/2004-4/30/2005 Position held- Press Operator

Pay per week- \$520.00 base pay Reason for leaving: Temporary

Dole Fresh Vegetables
 Benjamin Dr.
 Springfield, Oh 45502
 937-525-4300

Dates of employment- 5/6/2005-11/22/06 Position held- Maintenance Supervisor Pay per week- \$1950.00 base pay + bonus Reason for leaving: Resign

7. Kroger Columbus bakery 457 Cleveland Ave Columbus, Oh 43224 614-462-2000

Dates of employment- 10/24/06-3/5/07
Position held- Maintenance Technician
Pay per week- \$800.00 base pay
Reason for leaving: Quit for better job and shorter drive(52 mi. one way)

8. Rittal Corporation One Rittal Place Springfield, Oh 45504 937-399-0500

Dates of employment- 3/5/2007- Present Position held- Maintenance Team Leader Pay per week- \$1450.00 base pay + bonus Reason for leaving: Present Job

ANSWER TO **QUESTION #3**

1. PCU 2280 W. Dorothy lane Dayton, oh 45439 937-299-5594

Dates of Application- Approx. 5/15/2000 Position Applied For-Field Service Technician Date of Interview- Approx. 5/25/2000 Interviewer- PCU Human Resources and Field services supervisor Allen Job Offer- Field service tech \$15/hr + meals + mileage with benefits after 90 days, 401k

2. Heidelberg Web Systems Inc 121 Broadway Dover, NH 03820 (No number available)

Dates of Application- Approx. 12/27/2000 Position Applied For- Machine Builder Date Of Interview- Approx. 1/8/2001 Interviewer- Heidelberg Floor Foreman Tom Mcgean and HR Job Offer- \$17.69/hr, unlimited overtime, benefits immediately, 401k, vacation

3. Dole Fresh Vegetables 600 Benjamin Dr. Springfield, oh 45502 937-525-4300

Dates of Application- Approx. 4/18/2002 Position Applied For- Maintenance Technician Date of Interview- Approx. 4/22/2002 Interviewer- HR and maintenance supervisor Job Offer- \$13.50/hr, overtime, company paid benefits, 401k, vacation

4. OTC Daihen 1400 Blouser Dr. Tipp City, Oh 45437 937-667-0800

ster of 2 p ir abor-A prox. 8/11/2003 Position Applied For- Manufacturing Technician Date of Interview- Approx. 8/15/2003 Interviewer- PCU Technical Staffing, Debbie Job Offer- \$15/hr, some overtime

5. JBM Envelope 2850 Henkle Dr. Lebanon, Oh 45036 Dates of Application- Approx. 4/1/2004
Position Applied For- Press Operator
Date of Interview- Approx. 4/13/2004
Interviewer- HR, Brian
Job Offer- \$13/hr, some overtime, vacation, 401k, benefits

Dole Fresh Vegetables
 600 Benjamin Dr.
 Springfield, Oh 45502
 937-525-4300

Dates of Application- Approx. 4/13/2005
Position Applied For- Maintenance Supervisor
Date of Interview- Approx. 4/21/2005
Interviewer- Maintenance Supervisor, HR Lisa Cole
Job Offer- \$50,000 annually, benefits, 401k, vacation, bonus

7. Kroger Columbus bakery 457 Cleveland Ave Columbus, Oh 43224 614-462-2000

Dates of Application- Approx 9/28/2006
Position Applied For- Maintenance Technician
Dates of Interview-Approx. 10/05/2006 and 10/13/2006 for testing
Interviewer- HR, Union President Chet Ellis and maintenence supervisor
Job Offer- \$17.60/hr, benefits after 90 days, 401k, vacation

8. Rittal Corporation One Rittal Place Springfield, Oh 45504 937-399-0500

Dates of Application- Approx. 2/1/2007
Position Applied For- Control Technician
Dates of interview- Approx. 2/14/2007
Interviewer- Plant Manager, Maintenance Manager, Danny Kelly, HR
Job Offer- \$20/hr, benefits after 90 days, 401k, vacation, movie tickets, YMCA, counseling, overtime, and many other fringes.

ANSWER TO **QUESTION #4**

1. PCU 2280 W. Dorothy lane Dayton, oh 45439 937-299-5594

Position held-Field Service Technician Pay per week- \$800.00 base pay

2. Heidelberg Web Systems Inc 121 Broadway Dover, NH 03820 (No number available)

Position held- Machine Builder Pay per week- \$1000.00 base pay

3. Dole Fresh Vegetables 600 Benjamin Dr. Springfield, oh 45502 937-525-4300

Position held- Maintenance Technician Pay per week-\$700.00 base pay

4. OTC Daihen 1400 Blouser Dr. Tipp City, Oh 45437 937-667-0800

Position held- Manufacturing Technician Pay per week- \$600.00 base pay

5. JBM Envelope 2850 Henkle Dr. Lebanon, Oh 45036 513-933-8333

Position held- Press Operator Pay perwissk-\$320.00 base per

6. Dole Fresh Vegetables 600 Benjamin Dr. Springfield, Oh 45502 937-525-4300

Position held- Maintenance Supervisor Pay per week- \$1950.00 base pay + bonus 7. Kroger Columbus bakery 457 Cleveland Ave Columbus, Oh 43224 614-462-2000

Position held- Maintenance Technician Pay per week- \$800.00 base pay

8. Rittal Corporation One Rittal Place Springfield, Oh 45504 937-399-0500

Position held- Maintenance Team Leader Pay per week- \$1450.00 base pay + bonus

9. Symmetry Direct P.O. Box 612320 San Jose, Ca 95161 408-942-7700

Position- Home Based Business Pay per week- Commission + bonuses

VERIFICATION

I, Michael Miller hereby state that the answers to the foregoing interrogatories are true and complete to the best of my knowledge.

This the _____day of April; 2007.

